

JC153c'd/PCT/PTO 12 JUN 2001  
PCT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Konrad Herrmann et al.

Serial No.: 09/830,518

Filing Date:

Title: POLYCYCLIC PYRIMIDINE -2,4(1H,3H)-DIONES WITH FUNCTIONALIZED ALKYL RESIDUES AT THE 1- AND/OR 3-POSITION(S); METHODS FOR THEIR SYNTHESIS AND PHARMACEUTICAL PREPARATION

Examiner:

Art Unit:

June 7, 2001

Attorney's Docket No.: NNG201

TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

Form PTO-1390

Response to the Notification of Missing Requirements dated June 7, 2001 (2 pages)

Inventor Declaration (German Language Declaration)

Late fee in the amount of \$65.00

Form PTO-2038

Copy of the Notice of Missing Requirements Under 35 U.S.C. 371 mailed on May 31, 2001

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, and 1.17, after a mailing of a Notice of Allowance under 35 USC 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

( ) Please charge my Account No.11-0224 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

06/15/2001 UEDWIJE 00000088 09830518

01 FC:254

65.00 OP

  
Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059  
Reg. No. 28,559 Tel.: (908) 757-2839

MAIL CERTIFICATION: I hereby certify that the correspondence attached hereto is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231,

on 07 JUN 2001

Signature: Ronald Kasper

Date: 07 JUN 2001

NNG201

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/830,518

JUN

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
*PCT/EP00/08126*INTERNATIONAL FILING DATE  
*21 AUGUST 2000*PRIORITY DATE CLAIMED  
*26 AUGUST 1999*TITLE OF INVENTION POLYCYCLIC PYRAMIDINE - 2,4 (1H, 3H) - DIONES WITH FUNCTIONALIZED ALKYL RESIDUES  
AT THE 1- AND/OR 3-POSITION(S); METHODS FOR THEIR SYNTHESIS AND PHARMACEUTICAL PREPARATION

APPLICANT(S) FOR DO/EO/US

*KONRAD HERRMANN, SIEGFRIED LEISTNER*

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected by the expiration of 19 months from the priority date (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.
14.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
15.  A substitute specification.
16.  A change of power of attorney and/or address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information:

- FORM 2038
- RESPONSE TO THE NOTICE OF MISSING REQUIREMENTS
- COPY OF THE NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 USC 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
09/830,518INTERNATIONAL APPLICATION NO.  
PCT/EPOO/08126ATTORNEY'S DOCKET NUMBER  
NNG201

O P E

JUN 12 2001

TRADEMARK OFFICE  
1600 14th Street, N.W.  
Washington, D.C. 20591

CALCULATIONS PTO USE ONLY

21.  The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$

Surcharge of **\$130.00** for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$18.00	\$
Independent claims	- 3 =		x \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 65.00

 Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$ 65.00

**SUBTOTAL =**

\$ 65.00

Processing fee of **\$130.00** for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$ 65.00

Fee for recording the enclosed assignment (37 CFR 1.21(b)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$ 65.00

	Amount to be refunded:	\$
	charged:	\$

a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0224. A duplicate copy of this sheet is enclosed.

d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Horst M. Kasper  
13 Forest Drive  
Warren, N.J. 07059

SIGNATURE

HORST M. KASPER

NAME

28,559

REGISTRATION NUMBER



**IN THE UNITED STATE PATENT AND TRADEMARK OFFICE**

Applicant: Konrad Herrmann et al.  
Serial No: 09/830,518

Art Unit:

Filing Date:

Title: POLYCYCLIC PYRIMIDINE - 2,4 (1H,3H)-DIONES  
WITH FUNCTIONALIZED ALKYL RESIDUES AT THE 1-  
AND/OR 3-POSITION(S); METHODS FOR THEIR  
SYNTHESIS AND PHARMACEUTICAL PREPARATION

Examiner:

June 7, 2001

Attorney's Docket No.: NNG201

**RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

Hon. Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

SIR:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on May 31, 2001 and setting a period for response of two months expiring on July 31, 2001.

The Notification of Missing Requirements under 35 U.S.C. 371 states that the following items must be furnished within the time period set forth in said Notification in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and international filing date;

- Surcharge for providing the oath or declaration later than appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

In response to said request the applicant is herewith respectfully submitting the following items:

- Inventor Declaration (German language Declaration),
- the late fee in the amount of \$65.00 to cover the surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date(37 CFR 1.492(e)) is to be charge to a credit card.

A credit card payment form (PTO-2038) is enclosed with the present response.

A copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on May 31, 2001 is enclosed.

Respectfully requested,

Konrad Herrmann et al.

By:

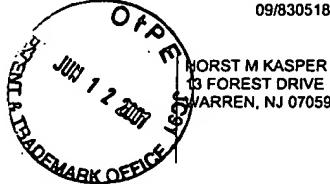
  
\_\_\_\_\_  
Horst M. Kasper, their attorney,  
13 Forest Drive, Warren, N.J. 07059  
Tel.: (908) 526-1717, Fax: (908) 526-6977  
Reg. No. 28,559; Docket No.: NNG201

\*%pt1:remail(NNG201R2 (June 7, 2001 (ssp

## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830518	HERRMANN	K NNG201
INTERNATIONAL APPLICATION NO.		PCT/EP00/08126
I.A. FILING DATE	PRIORITY DATE	21 AUG 00 26 AUG 99
DATE MAILED:		31 MAY 2001



## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):
  - U.S. Basic National Fee.  Indication of Small Entity Status.
  - Copy of the international application.  Translation of the international application into English.
  - Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.
  - Copy of Article 19 amendments.  Other:
  - Priority Document.
  - The International Preliminary Examination Report in English and its Annexes, if any.
  - Translation of Annexes to the International Preliminary Examination Report into English.
2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
  - U.S. Basic National Fee.  Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(c)).
4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice **MUST** be returned with this response.*

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875  PCT/DO/EO/920

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

FORM PCT/DO/EO/905 (March 2001)

URNr. 773 / 2001 M

Ich beglaubige hiermit die Echtheit der vorstehenden vor mir, der Notarin, vollzogenen Unterschriften von

Herrn Dr. Konrad Herrmann,  
geboren am 01.02.1950,  
wohhaft in 04229 Leipzig, Stieglitzstraße 78,  
ausgewiesen durch amtlichen Lichtbildausweis,

und

Herrn Dr. Siegfried Leistner,  
geboren am 08.06.1940,  
wohhaft in 04349 Leipzig, Klingenthaler Str. 1,  
ausgewiesen durch amtlichen Lichtbildausweis.

Leipzig, den 14.05.2001

  
Möller / Notarin

